

**EAST AYRSHIRE COUNCIL**

**SOUTHERN LOCAL PLANNING COMMITTEE: 05 JANUARY 2001**

**00/0706/LB: INSTALLATION OF REPLACEMENT WINDOWS AND ALTERATION OF  
EXISTING WINDOW OPENING TO FORM NEW DOORWAY AT 14 GARDEN  
STREET, DALRYMPLE**

**APPLICATION BY MR T PROSSER**

**EXECUTIVE SUMMARY SHEET**

**1. DEVELOPMENT DESCRIPTION**

1.1 Listed Building Consent is sought for the installation of replacement windows on the front and rear elevations, including on the traditional front facing dormer windows. The proposed replacement windows are of white UPVC and have modern opening mechanisms and UPVC glazing bars. The general arrangement of the panes and glazing bars does, however, respect that of the original windows. The applicant also proposes to alter an existing window opening on the rear elevation to form a new door. Again, the use of UPVC is proposed.

**2. RECOMMENDATION**

**2.1 It is recommended that the application be refused on the grounds listed on the attached sheet.**

**3. SUMMARY OF ANALYSIS**

3.1 It is considered that the proposal is contrary to Policy ENV4 of the East Ayrshire Local Plan Finalised Version as it does not have due regard to the architectural or historical qualities of the Conservation Area. The proposal also fails to meet the majority of the criteria set out in Policy 11 of the Development Control Policies Relating to Listed Buildings and Buildings in Conservation Areas.

**Alan Neish  
Head of Planning & Building Control**

**NOTE: This document combines key sections of the associated report for quick reference and should not in itself be considered as having been the basis for recommendation preparation or decision making by the Planning Authority.**

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**APPLICATION BY MR T PROSSER**

**Report by Head of Planning & Building Control**

**1. PURPOSE OF REPORT**

1.1 The purpose of this report is to present for determination an application for Listed Building Consent which is to be considered by the Southern Local Planning Committee under the Scheme of Delegation as the application is recommended for refusal.

**2. APPLICATION DETAILS**

2.1 **Site Description:** The site of this application lies on the north side of Garden Street within the Dalrymple Conservation Area. The property at No.14 forms part of a terrace of sixteen traditional one and a half storey cottages and is a Category C(S) Group Listed Building. The existing windows are of a traditional sash and case construction and have white painted wooden frames. Of the sixteen properties in the terrace, twelve have had their windows replaced with modern frames, including the two properties adjacent to either side of the application site.

2.2 **Proposed Development:** Listed Building Consent is sought for the installation of replacement windows on the front and rear elevations, including on the traditional front facing dormer windows. The proposed replacement windows are of white UPVC and have modern opening mechanisms and UPVC glazing bars. The general arrangement of the panes and glazing bars does, however, respect that of the original windows. The applicant also proposes to alter an existing window opening on the rear elevation to form a new door. Again, the use of UPVC is proposed.

### 3. CONSULTATIONS AND ISSUES RAISED

3.1 Dalrymple Community Council has not responded to the consultation letter.

***Noted.***

3.2 The Architectural Heritage Society of Scotland has objected to the proposal, stating that the use of UPVC lacks the subtleties of the original materials. The Society has recommended the use of traditional timber windows with transoms.

***Noted.***

### 4. REPRESENTATIONS

4.1 The Architectural Heritage Society of Scotland has objected to the proposal as indicated in section 3.2 above. No other representations have been received

### 5. DEVELOPMENT PLAN STATUS

5.1 The application requires to be determined with regard to Policy ENV 4 of the East Ayrshire Local Plan Finalised Version. Policy ENV 4 states that:

*The Council will seek to ensure that all development within or affecting the setting of a Conservation Area or affecting the appearance or setting of a Listed Building, is sympathetic to the area or building concerned in terms of its layout, size, scale, design, siting, materials and colour of finish. Wherever possible, all proposals should seek to preserve, enhance or incorporate features, which contribute positively to the character or appearance of the area and have due regard to the architectural and historic qualities of the area or building concerned.*

***It has been noted above that the replacement windows have modern UPVC frames and glazing bars and do not incorporate the traditional sash and case method of opening. The UPVC glazing bars are much wider than the traditional wooden examples and consequently the replacement windows would lack the elegant appearance of the original windows. It is therefore considered that the proposal does not have “due regard to the architectural and historic qualities of the Conservation Area” and that the proposal is contrary to Policy ENV 4 of the East Ayrshire Local Plan Finalised Version.***

5.2 The Council's Development Control Policies Relating to Listed Buildings and Buildings within Conservation Areas are also of relevance. Policy 11 Replacement Windows states that:

*All replacement windows on a listed building or a building within a Conservation Area must meet the following criteria:*

(a) *All replacement windows must be of traditional design and have traditional methods of opening;*

***The proposed replacement windows do not have a traditional method of opening.***

(b) *All replacement windows must be of timber construction with window frames being painted in colours to be agreed with the Planning Authority;*

***The proposed replacement windows are of modern UPVC construction.***

(c) *All replacement windows must reflect the style and proportion of the original windows being replaced. In particular, the proportion of top-to-bottom sashes and the pattern of glazing bars and astragals must be retained and reproduced;*

***The style of the proposed replacement windows, insofar as the general arrangement of the panes and glazing bars is concerned, reflects that of the original windows.***

(d) *All replacement windows on the front elevation of a listed building or a building within a Conservation Area, or on other elevations which are open to view, must meet the criteria detailed above. Only in exceptional cases where it can be reasonably justified will consideration be given to the use of UPVC or aluminium windows and only then if the windows are located on elevations of the building which are not readily visible. In all cases, windows that are proposed in non-traditional materials must still be of traditional style and design.*

***The proposed UPVC replacement windows on the ground floor and first floor on the front elevation would be visible from the public highway.***

5.3 On balance, for the reasons stated in 5.2 above, it is considered that the proposal is contrary to Policy 11 of the Development Control Policies Relating to Listed Buildings and Buildings within Conservation Areas. The applicant has been advised that the application in its present form is contrary to these policies. He has stated, however, through his agent, that he wishes the application determined as it stands.

## **6. OTHER PLANNING CONSIDERATIONS**

6.1 Should the Committee be minded to approve this application, it would not be considered as a significant departure from policy and would not therefore require to be referred to the Development Services Committee for consideration.

6.2 As the proposals relate to a Category C(S) Group Listed Building, the application will not require to be forwarded to Historic Scotland for consideration should the Committee be minded to approve.

## **7. FINANCIAL AND LEGAL IMPLICATIONS**

7.1 There are no financial or legal implications for the Council in the determination of this application.

## **8. CONCLUSION**

8.1 It is considered that the proposal is contrary to Policy ENV4 of the East Ayrshire Local Plan Finalised Version as it does not have due regard to the architectural or historical qualities of the Conservation Area. The proposal also fails to meet the majority of the criteria set out in Policy 11 of the Development Control Policies Relating to Listed Buildings and Buildings in Conservation Areas.

## **9. RECOMMENDATION**

**9.1 It is recommended that the application be refused on the grounds listed on the attached sheet.**

Alan Neish  
Head of Planning & Building Control  
21 December 2000  
DS/FGD/SMB

### **LIST OF BACKGROUND PAPERS**

1. Application form and plans.
2. Statutory notices and certificates.
3. Consultation responses.
4. East Ayrshire Council Local Plan Finalised Version.
5. Development Control Policies Relating to Listed Buildings in Conservation Areas.

Any person wishing to inspect the background papers listed above should contact Mr. Derek Scott on 01563 555483.

**Implementation Officer: Dave Morris**

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Location	14 Garden Street DALRYMPLE
Nature of Proposal:	Proposed installation of replacement windows and alteration of existing window opening to form new doorway.
Name and Address of Applicant:	Mr T Prosser, 14 Garden Street, DALRYMPLE KA6 6DG
Name and Address of Agent	Zenith Windows, Unit 7 1 Hagmill Crescent, COATBRIDGE

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DPO's Ref: DEREK SCOTT ]  
PPO's Ref; [ ]

The above **LISTED BUILDING** application should be refused on the following grounds.

1. The proposal is contrary to Policy ENV4 of the East Ayrshire Local Plan Finalised Version as it does not have due regard to the architectural or historical qualities of the Conservation Area.
2. The proposal fails to meet criteria a, b and d of Policy 11 of the Council's adopted Development Control Policies relating to Listed Buildings and Buildings within Conservation Areas as the proposed replacement windows are:-
  - (i) not of traditional design or have traditional methods of opening;
  - (ii) are not of timber construction; and
  - (iii) would be located on a prominent part of the building.

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**AGENDA**